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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,310	03/13/2001	Kannan Srinivasan	01-171	1781

9629 7590 07/16/2003
MORGAN LEWIS & BOCKIUS LLP
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WASHINGTON, DC 20004

EXAMINER

JACKSON, BLAINE J

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 07/16/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,310

Applicant(s)

SRINIVASAN ET AL.

Examiner

Blane J Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Glorikian (U.S. Patent 6,343,317).

3. As to claim 1, Glorikian teaches an information service that provides information to a wireless communication device user as requested by the device user or inferred by the service that may be determined by any combination of the device user location, direction of change, rate of change and other dynamics derivative from location and

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time of the device user (figures 1 and 2, column 5, lines 26-42 and column 6, lines 15-28).

4. As to claim 2, Glorikian teaches that the device user may be presented with the availability of overnight accommodations, restaurants and other location and time dependent services (column 10, lines 34-46).

5. As to claims 3 and 4, Glorikian teaches the information service infers information likely to be of interest to the device user based on the time and the device user's specific location, movement direction and rate of location change (column 5, line 56 to column 6, line 29).

6. As to claim 5, Glorikian teaches that the device user may find interest in information if pushed in a timely manner, information the device user may need in accordance with the time of day such as hotel changes, restaurant hours and reservations and the like (column 10, lines 24-46).

7. As to claim 6, Glorikian teaches an information service that pushes advertisements containing information of supposed interest to the device user where it would be inherent for the advertisement to include business hours and (wireless) telephone numbers to be used by the device user (column 10, lines 47-62).

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8. As to claims 7 and 8, Glorikian teaches an information service that wirelessly connects the device user (subscriber) with a wireless network with access to the information over the Internet (figure 1, column 3, lines 31-53). Glorikian discloses that the user device includes GPS circuitry to report location information to the service with the information/service request, the first (wireless) signal by the device user. Glorikian further teaches that the location specific information is then transmitted to the device user (column 4, lines 63 to column 5, line 11).

9. As to claims 9 and 10, Glorikian teaches that the information service is aware of the time of the device user request for information in order to provide a timely recommendation, hotel availability and restaurant information (column 2, lines 38-46).

Conclusion

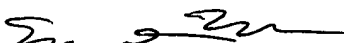
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bhatia (U.S. Patent 5,930,699) discloses a home location register via a base station that determines the location area and provides local business information to a mobile station telephone. Chern et al. (U.S. Patent 6,456,854) teaches a Web server based service that tracks the location of a mobile telephone device to organize and send local information. Calvert (U.S. Patent 6,526,275) teaches a method for informing a communications device user where to find products based on device user location and time (Note: this prior art anticipates the claimed invention but is predated by applicant's provisional application #60/188,887).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (703) 305-5291. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 812-9314 for regular communications and (703) 812-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

BJ
July 11, 2003


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600